

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Jaime Beck, Byron Hanson, and
Lynn Melcher,

Civil Action No. 0:19-CV-01453 (PJS/SER)

Plaintiffs,

v.

William F. Austin, et al.,

Defendants.

**JOINT STIPULATION FOR EXTENSION OF TIME TO ANSWER OR
OTHERWISE PLEAD AS TO DEFENDANT JEFFREY LONGTAIN**

WHEREAS, on June 3, 2019, Plaintiffs filed this action; and

WHEREAS, on June 24, 2019, Plaintiffs mailed a Notice to Waive Service of
Summons to Defendant Jeffrey Longtain;

WHEREAS, on July 17, 2019, Defendant Longtain filed the waiver of service
[ECF No. 5], pursuant to which Defendant Longtain must answer or otherwise plead on
or before August 23, 2019; and

WHEREAS, Defendant Longtain does not intend to file a motion to dismiss but
rather to wait to answer pending the outcome of any motion to dismiss or other Rule 12
motion filed by Defendants Starkey Laboratories, Inc., William F. Austin, or Brandon
Sawalich, and Plaintiffs agree that efficiency and judicial economy will be served by
foregoing interim pleadings; and

WHEREAS, Plaintiffs provided both earlier and later Notices to Waive Service of Summons to other Defendants, and have received an extension to the deadline to answer for Defendants Starkey Laboratories, Inc., William F. Austin, and Brandon Sawalich to answer or otherwise plead until September 13, 2019 [ECF No. 8], and for Defendant Jerome Ruzicka to answer under the same circumstances as those requested in this stipulation [ECF No. 16]; and

WHEREAS, the case involves multiple Defendants represented by separate counsel, and Plaintiffs and Defendant desire a uniform schedule for any answer or other pleading to be filed to promote case efficiency and scheduling.

NOW THEREFORE, Plaintiffs and Defendant Longtain, by and through their respective undersigned counsel, hereby **STIPULATE AND AGREE** that:

1. The time in which Defendant Longtain shall answer in response to the complaint may, with the court's approval, be extended from August 23, 2019, until fourteen (14) days after a ruling on any motion to dismiss or other Rule 12 motion filed by Defendants Starkey Laboratories, Inc., William F. Austin, or Brandon Sawalich;
2. Should Defendants Starkey Laboratories, Inc., William F. Austin, and Brandon Sawalich file an answer in lieu of a motion to dismiss or other Rule 12 motion, Defendant Longtain shall answer in response to the complaint within seven (7) days after such answer(s) are filed;
3. Either party's counsel may file this Stipulation with the Court using the other counsel's electronic signature; and

4. The Court may issue an Order granting this stipulated request for an extension without a hearing.

LOCKRIDGE GRINDAL NAUEN, PLLP

Dated: August 14, 2019

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Dated: August 14, 2019

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